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MAR 25 2002

UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/925,976	08/09/2001	Harry J. Gosden	34826-1007

CONFIRMATION NO. 4370

## FORMALITIES LETTER



\*OC000000006558622\*

John M. Johnson  
Kaye Scholer LLP  
425 Park Avenue  
New York, NY 10022

Date Mailed: 09/14/2001

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

## Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 355 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).*
- Total additional claim fee(s) for this application is \$643.
 

03/27/2002	MBERHE	00000068	540988	09925976
01	FD:201	370.00	CH	
02	FD:202	35.00	CH	
03	FD:203	243.00	CH	
04	FD:202	420.00	CH	

  - \$243 for 27 total claims over 20.
  - \$400 for 10 independent claims over 3.
- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 1063.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Substitute drawings in compliance with 37 CFR 1.84 because:
  - drawing sheets do not have the appropriate margin(s) (see 37 CFR 1.84(g)). Each sheet must include a top margin of at least 2.5 cm. (1 inch), a left side margin of at least 2.5 cm. (1 inch), a right side margin of at least 1.5 cm. ( 5/8 inch), and a bottom margin of at least 1.0 cm. (3/8 inch);

*A copy of this notice MUST be returned with the reply.*

\_\_\_\_\_  
Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



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Attorney Docket No: 34826 - 1007

#4

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
**PATENT OPERATION**

In re Application of: McNulty, Stephen A. et al.

Serial No.: 09/925,976

Group Art Unit: 2131

Filed: 08/09/2001

Examiner: Not Assigned

For: SYSTEM AND METHOD FOR COMPUTER STORAGE SECURITY

New York, NY 10022

Hon. Commissioner of Patent and Trademarks  
BOX MISSING PARTS  
Washington, DC 20231

**RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION**

Sir:

In response to the Notice to File Missing Parts of Nonprovisional Application, Filing Date Granted, dated September 14, 2001, in the above-identified application, the Commissioner is hereby authorized to charge the statutory basic filing fee as set forth in 37 CFR 1.27 for a small entity to Deposit Account No. 50-0988. Enclosed in response to the Notice to File Missing Parts of Application is a signed Declaration for Utility or Design Patent Application (37 CFR 1.63) by all the inventors, Fee Transmittal Form, Letter to the Official Draftsperson with Corrected Drawings and signed Powers of Attorney. Applicant hereby petitions for a **four month** extension of time to extend the time of response to **March 14, 2002** from **November 14, 2001** with a charge to Deposit Account 50 - 0988 for petition fees and all other fees hereby authorized. A copy of Notice to File Missing Parts of Application under 1.53(b) is also enclosed.

Respectfully submitted,

David Petroff  
Reg. No. 46,385

**MAILING ADDRESS**

KAYE SCHOLER LLP  
425 Park Avenue  
New York, New York 10022  
(212) 836 - 7790



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03CO

MP/ #4

Please type a plus sign (+) inside this box → ☐

PTO/SB/21 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	<b>Application Number</b>	09/925,976	
	<b>Filing Date</b>	08/09/2001	
	<b>First Named Inventor</b>	MCNULTY, Stephen A.	
	<b>Group Art Unit</b>	2131	
	<b>Examiner Name</b>		
<b>Total Number of Pages in This Submission</b>	16	<b>Attorney Docket Number</b>	34826 - 1007

**ENCLOSURES (check all that apply)**

<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input checked="" type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input checked="" type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input checked="" type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input checked="" type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): - (3) Declaration for Utility Patent Application - Letter to Official Draftsperson - Prepaid Self Addressed Return Postcard
<b>Remarks</b>		

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

<b>Firm or Individual name</b>	David Petroff Reg. No. 46,385
<b>Signature</b>	
<b>Date</b>	March 13, 2002

**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on this date: <u>March 13, 2002</u>			
<b>Typed or printed name</b>	David S. Chametzky		
<b>Signature</b>		<b>Date</b>	March 13, 2002

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



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PTO/SB/17 (10-01)  
Approved for use through 10/31/2002. OMB 0651-0032  
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# FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT

(\$) 1,818.00

## Complete if Known

Application Number	09/925,976
Filing Date	08/09/2001
First Named Inventor	MCNULTY, Stephen A.
Examiner Name	
Group Art Unit	2131
Attorney Docket No.	34826 - 1007

## METHOD OF PAYMENT

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number: 50-0988  
Deposit Account Name: Kaye Scholer LLP

- ☒ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17  
☒ Applicant claims small entity status. See 37 CFR 1.27

2. ☐ Payment Enclosed:

☐ Check ☐ Credit card ☐ Money Order ☐ Other

## FEE CALCULATION

### 1. BASIC FILING FEE

Large Entity Code (\$)	Small Entity Code (\$)	Fee Description	Fee Paid
101 740	201 370	Utility filing fee	370.00
106 330	206 165	Design filing fee	
107 510	207 255	Plant filing fee	
108 740	208 370	Reissue filing fee	
114 160	214 80	Provisional filing fee	

SUBTOTAL (1) (\$) 370.00

### 2. EXTRA CLAIM FEES

Total Claims: 47  
Independent Claims: 13  
Multiple Dependent: 34  
Extra Claims: 27  
Fee from below: 9.00  
Fee Paid: 243.00  
Extra Claims: 10  
Fee from below: 42.00  
Fee Paid: 420.00

Large Entity Code (\$)	Small Entity Code (\$)	Fee Description
103 18	203 9	Claims in excess of 20
102 84	202 42	Independent claims in excess of 3
104 280	204 140	Multiple dependent claim, if not paid
109 84	209 42	** Reissue independent claims over original patent
110 18	210 9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$) 663.00

\*or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

Large Entity Code (\$)	Small Entity Code (\$)	Fee Description	Fee Paid
105 130	205 65	Surcharge - late filing fee or oath	65.00
127 50	227 25	Surcharge - late provisional filing fee or cover sheet	
139 130	139 130	Non-English specification	
147 2,520	147 2,520	For filing a request for ex parte reexamination	
112 920*	112 920*	Requesting publication of SIR prior to Examiner action	
113 1,840*	113 1,840*	Requesting publication of SIR after Examiner action	
115 110	215 55	Extension for reply within first month	
116 400	216 200	Extension for reply within second month	
117 920	217 460	Extension for reply within third month	
118 1,440	218 720	Extension for reply within fourth month	720.00
128 1,960	228 980	Extension for reply within fifth month	
119 320	219 160	Notice of Appeal	
120 320	220 160	Filing a brief in support of an appeal	
121 280	221 140	Request for oral hearing	
138 1,510	138 1,510	Petition to institute a public use proceeding	
140 110	240 55	Petition to revive - unavoidable	
141 1,280	241 640	Petition to revive - unintentional	
142 1,280	242 640	Utility issue fee (or reissue)	
143 460	243 230	Design issue fee	
144 620	244 310	Plant issue fee	
122 130	122 130	Petitions to the Commissioner	
123 50	123 50	Processing fee under 37 CFR 1.17(q)	
126 180	126 180	Submission of Information Disclosure Stmt	
581 40	581 40	Recording each patent assignment per property (times number of properties)	
146 740	246 370	Filing a submission after final rejection (37 CFR § 1.129(a))	
149 740	249 370	For each additional invention to be examined (37 CFR § 1.129(b))	
179 740	279 370	Request for Continued Examination (RCE)	
169 900	169 900	Request for expedited examination of a design application	

Other fee (specify) \_\_\_\_\_

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$) 785.00

## SUBMITTED BY

Name (Print/Type)	David Petroff	Registration No. (Attorney/Agent)	46,385	Complete (if applicable)	Telephone	(212) 836 - 7202
Signature		Date	March 13, 2002			

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

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IN THE UNITED STATES  
PATENT AND TRADEMARK OFFICE

Patent Application

COPY OF PAPERS  
ORIGINALLY FILED

Inventor: McNulty, Stephen A. et al.

Case: 34826 - 1007

Serial No.: 09/925,976

Examiner:

Filing Date: August 9, 2001

Group Art Unit: 2131

Title: SYSTEM AND METHOD FOR COMPUTER STORAGE SECURITY

**LETTER TO THE OFFICIAL DRAFTSPERSON**

**THE COMMISSIONER OF PATENTS AND TRADEMARKS**  
**Washington, D. C. 20231**

**Attention: Official Draftsperson**

Sir:

Enclosed are formal drawings for Figure 1 through 2 to be used in lue of the informal drawings currently in the above identified patent application.

Respectfully,

Kaye Scholer LLP

By

David Petroff

Reg. No. 46,385

(212) 836 - 7202

Date: March 13, 2002

Enclosure